



Quod

**STATEMENT IN
RESPONSE TO
INSPECTORS' MATTERS,
ISSUES AND QUESTION
TO THE EXAMINATION OF
THE CITY of YORK
LOCAL PLAN**

Phase 2 Hearings

Matter 7 – Approach to Setting
Green Belt Boundaries

MARCH 2022

LANGWITH DEVELOPMENT PARTNERSHIP LTD

PARTICIPANT REF 378

Q70385

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1 Introduction

- 1.1 Langwith Development Partnership (LDP¹) is the principal landholder of the land proposed to be allocated under Policy ST15, which is a strategic allocation (Policy SS13), in the draft City of York Local Plan (“Local Plan”).
- 1.2 Delivering a new sustainable garden village proposed in the south east of the City is a key component of the Local Plan’s spatial strategy for housing delivery. The allocation of a new garden village in this part of the City is based on sound and sustainable planning principles. A new settlement is necessary, sustainable and appropriate in this part of York if the City of York Council (CYC) are to meet their housing needs sustainably. Planning for the delivery of a new settlement in south east York is supported by Homes England².
- 1.3 LDP have made representations to each of the relevant stages of the Local Plan’s preparation (Regulation 18, Regulation 19 and the more recent Modifications to the Regulation 19 Plan) 3 and appeared at the Stage 1 Hearing Sessions in December 2019.
- 1.4 LDP have demonstrated throughout the Local Plan process that the Local Plan’s spatial strategy, which is in part based on delivering a new garden village in the south east of the City, is sound in principle.
- 1.5 Whilst this Hearing Statement (and others submitted to this stage of Hearings) is not specifically concerned with the details of the allocation, Matter 8 of the Stage 2 Hearings is of relevance to the strategic allocation of a new garden village in this part of the City.
- 1.6 This Statement deals with the various questions raised under Matter 8 including those under the following section:
 - 1.6.1 Climate Change.
- 1.7 This Statement has been prepared by Quod.

¹ Langwith Development Partnership Ltd (LDP) is a joint venture formed by Sandby and the Oakgate/Caddick Group who control all the land required to deliver the new garden village known as Langwith. LDP have joint land holding interests in the south east part of the City, to the north of Elvington (south of the A64). Both parties, have jointly, and individually, been participants in the preparation of the City of York Local Plan (the Local Plan) for over six years.

² Homes England have awarded CYC funding under their Garden Communities Capacity Fund to assist in the formulation of their evidence base to support the delivery of a new garden village in south east York.

³ Representations were submitted by LDP (or companies that constitute LDP), including those (i) in September 2016 to the City of York Local Plan – Preferred Sites Consultation (June 2016), (ii) the later submission of a Site Promotion Document (Quod) in October 2017, followed by (iii) representations (in March 2018) to the City of York Local Plan - Publication Draft (February 2018 ([CD014g](#))), (iv) representations to the York Local Plan Proposed Modifications (June 2019) and associated Background Documents, in July 2019 ([EX/CYC/21b – PMSID378](#)) and (v) the Proposed Modifications and Evidence Base consultation in May 2021 ([EX/CYC/66e – PMSID378i – SID378xvii](#)).

- 1.8 It is LDP's view that given the evidence base of the Local Plan and, notably, the misgivings with that evidence and the foundations of the policy approach to the Plan, that significant modifications to the Plan are necessary. This is explained in LDP's Hearing Statement regarding Matter 1 (see Section 1 of that Statement) where it is respectfully suggested that the Inspectors consider the following modifications:
- 1.8.1 A "broad location for growth" policy for the proposed Garden Village allocation on Land West of Elvington Lane (which would be brought forward under a separate DPD); and
 - 1.8.2 For the Local Plan to expressly recognise, and commit to, an immediate and prompt review and update which will be necessary if the Local Plan is adopted under the transitional arrangements. It is explained in LDP's Statement 2 that in such a case, , a Local Plan based on the 2012 NPPF approach of OAN would be significantly below the outcomes arising from applying the SM of NPPF 2021 and correspondingly insufficient provision for employment land. This is because the evidence base at the Local Plan does not reflect the approach now required under latest Government Policy (in NPPF 2021, and its associated NPPG), which is a material consideration in all current development management decisions.
 - 1.8.3 In the alternative to the approach suggested in 1.8.2 above, the economic evidence should be updated (see LDP's comments in Statements 2 and 3) as part of this Local Plan examination, to better reflect economic circumstances prevailing (and projected) in York with consequent (upward) changes to the housing need target, which are likely to be similar to SM.

2 Approach to Setting Green Belt Boundaries

Question 7.1: This Local Plan will formally define the boundaries of the York Green Belt for the first time. The Council's approach to defining the Green Belt boundaries now proposed is set out in 'Topic Paper TP1 – Approach to Defining York's Green Belt: Addendum' (January 2021) [EX/CYC/59]. In the light of the evidence, in setting the proposed Green Belt boundaries:

- a) how, in simple summary, have the proposed boundaries been arrived at?*
- b) how does the approach now taken in the aforementioned new evidence differ from the method previously used by the Council and what is the reason for the differences?*
- c) how has the need to promote sustainable patterns of development been taken into account?*
- d) how have the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary been considered?*
- e) how do the proposed Green Belt boundaries ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development?*

- 2.1 CYC have produced Topic Paper 1 (Addendum) January 2021⁴ in order to clarify and simplify the methodology adopted in defining the Green Belt boundaries which responds to the Inspectors' points of clarification and queries raised in their letter to CYC in June 2020⁵. LDP do not comment on this document beyond those comments raised in their previous Representations⁶.
- 2.2 Those Representations demonstrated that the Green Belt boundary should be set for an enduring period, and there were good planning grounds for extending the Plan period to 2038 and, therefore, the Green Belt boundaries should be set for a period beyond 2038 (ie, to 2043 at least) enabling development needs beyond 2038, thereby ensuring that the Green Belt boundary endures.
- 2.3 Furthermore, those Representations also demonstrated that even on CYC's OAN based assessment of housing need, which LDP consider is not soundly based and, furthermore, is considerably less than the SM, there were strong grounds for a larger settlement than proposed in the Local Plan (ie, larger than ST15). Adopting the more up to date assessment of housing need, using the SM, further reinforces the likely need for consideration to be given to a larger Garden Village than is being proposed in the Local Plan although if that is not a matter the inspectors feel able to insist is included in the plan now for soundness, as indicated, a commitment to an immediate and prompt review and update should be included in the local plan, as explained in LDP's, Statement 1.

⁴ [EX/CYC/59a, b, c, d, e, f, g, h, i, j.](#)

⁵ [EX/INS/15.](#)

⁶ [EX/CYC/66e.](#)

- 2.4 The Representations also demonstrated that there was a confusion between the approach to addressing compactness in relation to the City of York itself, in order to protect the heritage qualities of the City, and the approach in the case of other settlements (either existing or proposed Garden Villages). It was demonstrated in those representations that the concept of compactness applicable to the City of York itself was one of ensuring a concentric form of development, whilst in respect of Garden Villages and other existing settlements within York that was concerned solely with “self-containment”. More information on this is contained in Section 4 of the Representations⁷.
- 2.5 LDP do not comment on the matters raised in Question 7.1, other than in respect of 7.1e, noting at this stage that LDP do not consider the boundaries set for the new Garden Village at Land to the West of Elvington Lane have been fully justified, and are proven to be sound.
- 2.6 Furthermore, setting the boundaries of the ST15 Garden Village at this stage, on the basis of the OAN approach to housing need would not be sound or sustainable. This is because the OAN is shown to be an under-estimate of the true housing need, even adopting the NPPF 2012 approach (see Hearing Statement 2) and is meaningfully less than the housing need that would arise using the NPPF 2021 assessment (SM). As a consequence, this would not lead to an enduring Green Belt, as it would not enable the existing housing need to be satisfied. Setting the boundary of ST15 now makes it likely, if not inevitable, that at the very first review and update of the Local Plan there would be a need to show exceptional circumstances to facilitate an expansion of ST15. The BLG approach avoids this and enables enduring GB boundaries to be set at the outset, when they are first fixed, and therefore consistent with 2012 NPPF.
- 2.7 For the reasons outlined in other Hearing Statements (see Hearing Statement 1 of LDP), this shortcoming of the Local Plan leads to a conclusion that a broad location for growth would be most appropriate to be adopted in this Local Plan and for the boundaries of the new Garden Village on Land to the West of Elvington Lane to be determined in a DPD.
- 2.8 LDP recognise that boundary setting matters are to be considered at the Stage 3 Hearing Sessions and make no comment at this Hearing sessions.
- 2.9 Regardless of the above, LDP wish to participate in the Hearing Session on the setting of Green Belt boundaries in the event that matters of principle are raised by CYC which have implications for the Garden Village proposed at Land to the West of Elvington Lane.

Question 7.2: As a matter of principle, do the proposed Green Belt boundaries include any land which it is unnecessary to keep permanently open?

- 2.10 LDP do not comment on Question 7.2 at this stage. They, however, reserve the right to comment and participate on this matter at the Examination, in light of comments previously made in their Representations to the consultation of the Proposed Modifications and Evidence Base⁸.

⁷ [EX/CYC/66e](#).

⁸ [EX/CYC/66e-PMSID378i-SID378xvii](#).

Question 7.3: Overall, is the approach to setting Green Belt boundaries clear, justified and effective and is it consistent with national policy?

- 2.11 LDP do not comment on Question 7.3 at this stage. They, however, reserve the right to comment and participate on this matter at the Examination, in light of comments previously made in their Representations to the consultation of the Proposed Modifications and Evidence Base⁹.

⁹ [EX/CYC/66e-PMSID378i-SID378xvii](#).



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